

Public Law 145

CHAPTER 326

AN ACT

July 12, 1955
[S. 800]

To repeal the Act of January 19, 1929 (ch. 86, 45 Stat. 1090), entitled "An Act to limit the date of filing claims for retainer pay".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of January 19, 1929 (ch. 86, 45 Stat. 1090), is hereby repealed.

Approved July 12, 1955.

Naval reserves.
34 USC 771, 772.

Public Law 146

CHAPTER 327

AN ACT

July 12, 1955
[S. 802]

To amend the Universal Military Training and Service Act, as amended, to remove the requirement for a final physical examination for inductees who continue on active duty in another status in the Armed Forces.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of subsection 9 (a) of the Universal Military Training and Service Act (62 Stat. 614), as amended, is amended by changing the final period to a colon and adding at the end thereof the following proviso: "Provided further, That, if upon completion of training and service under this title, such person continues on active duty without an interruption of more than seventy-two hours as a member of the Armed Forces of the United States, a physical examination upon completion of such training and service shall not be required unless it is requested by such person, or the medical authorities of the Armed Force concerned determine that the physical examination is warranted."

Approved July 12, 1955.

Universal Military Training and Service Act, amendment.
50 USC app. 459.

Public Law 147

CHAPTER 328

AN ACT

July 12, 1955
[S. 933]

To facilitate the settlement of the accounts of deceased members of the uniformed services, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of this Act the term "Department" shall mean the Department of the Army, the Department of the Navy, the Department of the Air Force, the Department of the Treasury, the Department of Commerce, or the Department of Health, Education, and Welfare, as the case may be, and the terms "uniformed services," "member" and "Secretary" shall have the respective meanings given those terms in section 102 of the Career Compensation Act of 1949 (63 Stat. 804), as amended, on the date of enactment of this Act, except that "the Secretary of Health, Education, and Welfare" shall be substituted for "the Federal Security Administrator" in the definition of the term "Secretary".

SEC. 2. In the settlement of the account of any deceased member of the uniformed services or of the National Guard or the Air National Guard, the amount found due therein from the uniformed service of which the decedent was a member shall be paid to the person or persons surviving at the date of death in the following order of precedence:

First, to the beneficiary or beneficiaries named to receive any such amount in a written designation executed by the member and received,

Uniformed services.
Accounts of deceased members.

37 USC 231.

Precedence of beneficiaries.

prior to his death, in the place designated for such purpose in the regulations of the Department concerned;

Second, if there be no such beneficiary, to the widow or widower of such member;

Third, if there be no beneficiary or surviving spouse, to the child or children of such member, and descendants of deceased children, by representation;

Fourth, if none of the above, to the parents of the member, or the survivor of them; and

Fifth, if there be none of the above, to the duly appointed legal representative of the estate of the deceased member, or if there be none, to the person or persons determined to be entitled thereto under the laws of the domicile of the deceased member.

Payments.

SEC. 3. Subject to such rules and regulations as may be prescribed by the Comptroller General of the United States, amounts payable to beneficiaries designated by the member under section 2 of this Act shall be paid by the Department or uniformed service concerned. All other payments under this Act shall be paid upon settlement by the General Accounting Office. Any payment made under this Act shall be a bar to recovery by any other person of any amount so paid.

Designation of beneficiary.

SEC. 4. Designations of beneficiary under this Act, and changes therein, shall be made under regulations promulgated by the Secretaries concerned, and such regulations shall be uniform for all services in so far as practicable: *Provided*, That any designation of beneficiary made for the purposes of any six months' death gratuity (including any designation of a person whose right to the gratuity would not depend upon such designation) and heretofore or hereafter received in the Department concerned before the effective date of the payment provisions of this Act shall be considered as a designation of beneficiary for the purposes of this Act, in the absence of a designation of beneficiary under this Act, unless the member making the designation shall have been missing, missing in action, in the hands of a hostile force, or interned in a foreign country during any part of the period between the date of enactment of this Act and the effective date thereof as prescribed in section 5 of this Act.

Effective date.

SEC. 5. The payment provisions of this Act shall be effective only in cases wherein the member's death occurs on or after the first day of the sixth month following the month in which this Act is enacted. The following statutory provisions are repealed as of the effective date of the payment provisions of this Act, except with respect to the deaths of members occurring prior to such effective date:

Repeals.

(1) The paragraph of the Act of June 30, 1906 (34 Stat. 750), which relates to the settlement of accounts of deceased officers and enlisted men of the Army, as amended by the Act of December 7, 1944 (58 Stat. 795), and section 4 of the Act of February 25, 1946 (60 Stat. 30, 10 U. S. C. 868).

(2) Section 1 of the Act of February 25, 1946 (60 Stat. 30), as amended by section 18 of the Act of August 4, 1949 (63 Stat. 560, 34 U. S. C. 941a).

(3) The paragraph in section 1 of the Act of August 4, 1949 (63 Stat. 531), which relates to the settlement of accounts of deceased officers and enlisted persons of the Coast Guard (14 U. S. C. 466).

(4) Section 507 of the Public Health Service Act, approved July 1, 1944 (58 Stat. 711), as amended by section 2 of the Act of February 25, 1946 (60 Stat. 30, 42 U. S. C. 225).

Approved July 12, 1955.